September 8, 2008

The Honorable A. Ralph Mollis
Secretary of State
Room 217, State House
Providence, RI 02903

Dear Secretary Mollis:

Every year I recommend specific legislative initiatives, which if enacted, would simplify and streamline the absentee voting process used by our citizens covered by the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)*. I would like to thank you for the work you and the state of Rhode Island have done over the past several years to promote and support these initiatives.

Recent elections have emphasized the importance of the states enacting the provision of 45 or more days for ballot transit; electronic transmission of Federal Post Card Applications, blank ballots, and voted ballots; and, authorization for the state chief election official to implement emergency measures. States with these provisions were able to quickly respond to a greater number of situations faced by our brave men and women serving in combat areas such as Iraq and Afghanistan, and other U.S. citizens worldwide. I would ask you also to consider alternative methods that these citizens could use to request their absentee ballots such as phone, email or by proxy, and utilizing digital signatures with electronically transmitted materials.

After reviewing Rhode Island's existing election code and procedures, I have identified two initiatives that the Rhode Island legislature might consider during the upcoming legislative session. These initiatives are discussed in detail with suggested wording in the enclosed legislative initiatives document. If these initiatives are enacted and signed into law, they would significantly help to facilitate the absentee voting process for Rhode Island's citizens covered by *UOCAVA*. Information available to FVAP indicates that there are 2,521 Uniformed Services members, an estimated 1,900 family members and approximately 17,000 overseas citizens that claim Rhode Island as their voting residence.

As you review the enclosed initiatives for possible inclusion in Rhode Island's 2009 legislative agenda, please do not hesitate to contact us for assistance. We can provide legislative wording that other states have enacted to implement similar measures and provide written or in-person testimony, if desired. We have come a long way in simplifying the absentee voting process used by our *UOCAVA* citizens - let's continue to work together to achieve the simplest possible absentee voting process while maintaining the integrity of our elections.

Sincerely,

P. K. Brunelli
Director

Enclosure:
2009 Legislative Initiatives and Suggested Wording

Rhode Island 2009 Legislative Initiatives and Sample Language

The Need for 45-Day Ballot Transit Time

Despite the alternative of mailing the official state blank ballot 45 days before an election if the official ballot is not yet available, Rhode Island military and overseas voters continue to have an extremely short period of time to receive, vote, and return their absentee ballots in order to be counted (21 days) in the regular absentee ballot delivery process. While electronic transmission of election materials offers an alternative to speed ballot transit time, inadequate ballot transit time through the mail remains the primary obstacle to timely delivery of absentee ballots for those who request them. Our post-election surveys and Postal Service statistics indicate that a **45-day transit time is needed** for absentee ballots sent through international mail or the military APO/ FPO (overseas) post offices. This round trip transit time is especially necessary because of the remote location of many military personnel and overseas citizens such as sailors and marines aboard ship, airmen and sailors at isolated tracking sites around the world, as well as Department of State personnel and citizen employees of American multinational corporations in remote areas.

Sample Language

For all elections, the official charged with the printing and distribution of ballots and election materials shall print as many absentee ballots as may be necessary as soon as possible after receiving the information concerning candidates and measures to be voted on at an election, and balloting materials shall be mailed not later than the 45th day before the election.

Emergency Authority for Chief Election Official

During a period of a declared emergency or other situation where there is a short time frame for ballot transmission, it is recommended that Rhode Island's **Chief Election Official have the authority in law to designate alternate methods for handling absentee ballots** to ensure voters have the opportunity to exercise their right to vote. The Chief Election Official and the Federal Voting Assistance Program could mutually establish expeditious methods for handling absentee ballots including electronic transmission.

We note that in 2003 Governor Carcieri signed into law legislation naming the Secretary of State (SoS) the Chief State Election Official in Rhode Island and that your Legislative Implementation Report for 2004 indicates that the SoS intends to introduce legislation to provide the necessary emergency authority for the SoS as the chief election official. If we can help in this effort, please let us know.

Sample Language

If a national or local emergency or other situation arises which makes substantial compliance with the provisions of the Uniformed and Overseas Citizens Absentee Voting Act impossible or unreasonable, such as a natural disaster or an armed conflict involving United States Armed Forces, or mobilization of those forces, including State National Guard and Reserve components, the Chief Election Official may prescribe, by emergency orders or rules, such special procedures or requirements as may be necessary to facilitate absentee voting by those citizens directly affected who otherwise are eligible to vote in the state.

The Chief Election Official shall adopt rules describing the emergency powers and the situations in which the powers will be exercised.